

[Counsel listed on following page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ASHLEY GJOVIK,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 23-cv-4597-LB

**STIPULATION AND ~~PROPOSED~~  
ORDER TO (1) ENLARGE TIME TO  
FILE RESPONSIVE PLEADING, (2)  
SET DEADLINE TO FILE AMENDED  
COMPLAINT AND RESPONSIVE  
PLEADING, (3) PERMIT AND SET  
DEADLINE FOR SECOND AMENDED  
COMPLAINT, AND (4) SET DEADLINE  
FOR RESPONSE TO SECOND  
AMENDED COMPLAINT AND  
FURTHER BRIEFING (IF NEEDED)**

**[N.D. CAL. CIV. L.R. 6-2]**

Dept: Courtroom B, 15th Floor  
Judge: Honorable Laurel Beeler

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Attorneys for Defendant  
Apple Inc.

1 Plaintiff Ashley Gjovik (“Plaintiff”) and Defendant Apple Inc. (“Defendant”) hereby  
2 stipulate as follows:

3 WHEREAS, Plaintiff filed a Complaint on September 7, 2023 against Defendant alleging  
4 claims under: (1) the Sarbanes-Oxley Act, (2) the Dodd-Frank Wall Street Reform and Consumer  
5 Protection Act, (3) the Bane Civil Rights Act, (4) the Ralph Civil Rights Act, (5) the Racketeer  
6 Influenced and Corrupt Organizations Act, (6) California Labor Code § 1102.5, (7) California  
7 Labor Code § 98.6, (8) California Labor Code § 6310, (9) wrongful termination in violation of  
8 public policy, and (10) intentional infliction of emotional distress (Dkt. 1);

9 WHEREAS, Plaintiff personally served Apple Inc. with a copy of the Summons and the  
10 Complaint on September 21, 2023 and thereafter filed a Proof of Service of Summons on  
11 September 22, 2023 (Dkt. 8 at 3);

12 WHEREAS, pursuant to Rule 12 of the Federal Rules of Civil Procedure (“FRCP”), the  
13 deadline for Defendant to serve and file a Response is currently October 12, 2023. For purposes  
14 of this stipulation, “Response” means anything permitted in response to a complaint under the  
15 FRCP (including, for example, an answer or a motion under FRCP 12);

16 WHEREAS, Plaintiff emailed Defendant on October 4, 2023 to notify Defendant that she  
17 intends to file a First Amended Complaint;

18 IT IS HEREBY STIPULATED by the Parties that Defendant will not file a Response to  
19 the Complaint and Plaintiff will instead file a First Amended Complaint on or before October 26,  
20 2023;

21 IT IS FURTHER STIPULATED by the Parties that Defendant will file a Response to the  
22 First Amended Complaint on or before November 16, 2023;

23 IT IS FURTHER STIPULATED by the Parties that Plaintiff shall have all the same rights  
24 to file a Second Amended Complaint under Rule 15 of the Federal Rules of Civil Procedure as if  
25 the Second Amended Complaint were the First Amended Complaint;

26 IT IS FURTHER STIPULATED by the Parties that if Defendant responds to the First  
27 Amended Complaint with a motion, and if a briefing schedule is necessary, then the following  
28

1 schedule will apply: Plaintiff will file an opposition on or before December 21, 2023, and  
2 Defendant will file a reply on or before January 11, 2024;

3 IT IS FURTHER STIPULATED by the Parties that Plaintiff may file a Second Amended  
4 Complaint on or before December 21, 2023, regardless of whether or not it is in response to a  
5 motion by Defendant in response to Plaintiff's First Amended Complaint;

6 IT IS FURTHER STIPULATED by the Parties that, if Defendant responds to the First  
7 Amended Complaint with a motion and if Plaintiff chooses to file a Second Amended Complaint  
8 under Rule 15 of the Federal Rules of Civil Procedure, then Plaintiff will do so on or before  
9 December 21, 2023, and Defendant will file a Response to the Second Amended Complaint on or  
10 before January 18, 2024;

11 IT IS FURTHER STIPULATED by the Parties that this stipulation does not alter any  
12 deadlines currently set by the Court.

13 Respectfully submitted,

14 Dated: October 9, 2023

16 By: /s/ Ashley Gjovik

17 ASHLEY GJOVIK  
18 Pro Se Plaintiff

19 Dated: October 9, 2023

ORRICK, HERRINGTON & SUTCLIFFE LLP

21 By: /s/ Jessica R. Perry

22 JESSICA R. PERRY  
23 Attorneys for Defendant  
Apple Inc.

24 **CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION**

25 Per L.R. 5-1(i)(3), I attest the other signatory has concurred in the filing of this document.

26 Dated: October 9, 2023

27 /s/ Jessica R. Perry  
28 Jessica R. Perry

STIP. AND [PROPOSED] ORDER RE:  
RESPONSIVE PLEADING DEADLINE AND  
ADDITIONAL DEADLINES  
CASE NO. 23-cv-4597-LB

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 Dated: October 10, 2023

3   
4 By: \_\_\_\_\_  
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